

**COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION  
AGENCY CASE NO. 2014-0004**

DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION    COMPLAINANT

v.

**AGREED ORDER**

GREG A. HAMM

RESPONDENT

\* \* \* \* \*

1.     The Department of Housing, Buildings and Construction ("DHBC") is responsible for regulating and licensing plumbers in accordance with the provisions set forth in KRS Chapter 318.

2.     Greg A. Hamm ("Respondent") was, at all relevant times herein, a Kentucky licensed master and journeyman plumber. Respondent's master plumber license number is M6262, and his journeyman plumber license number is J11753.

3.     In February 2014, DHBC began an investigation of work completed by Greg Hamm Plumbing in a single-family home located at 13394 Highway 39 in Somerset, Kentucky based on a consumer complaint received from the property owner. This investigation revealed that Mr. Hamm installed a new bathroom and washing machine hookup without a permit and without an inspection. This conduct was in violation of KRS 318.134(1) and 815 KAR 20:050 §2, which require anyone constructing, installing, or altering any plumbing in the Commonwealth of Kentucky to first obtain a permit from DHBC. Additionally, the work was not completed in compliance with the Kentucky State Plumbing Code as follows:

- a.     The number of fixtures placed on ½ inch piping exceeded the number allowed by 815 KAR 20:120, Section 9;

- b. Two mechanical air vents were installed in the basement in violation of 815 KAR 20:090, Section 18(2); and
- c. A water closet vent was installed at a distance from the fixture greater than is allowed by 815 KAR 20:090, Section 1.

Each failure to obtain a permit, failure to obtain an inspection, and non-compliance in the installation constitutes a separate violation of these provisions.

4. The DHBC possesses a range of statutory and administrative authority in addressing violations of KRS 318.010 through 318.990 and 815 KAR 20:010 through 20:195, including license revocation and suspension, and the imposition of fines in an amount up to \$100 per violation. See KRS 318.064; 318.990.

5. In this case, the DHBC has assessed a fine against Respondent in the amount of six hundred dollars (\$600.00) for failure to obtain a permit, failure to obtain an inspection, and for the non-compliant plumbing noted above in violation of KRS 318.134(1), 815 KAR 20:050, Section 2, 815 KAR 20:090, Sections 1 and 18(2), 815 KAR 20:120, Section 9, and 815 KAR 20:150, Section 1.

6. In the interest of economically and efficiently resolving the violations described herein, the DHBC and Respondent agree as follows:

- a. Respondent agrees to a fine assessment in the amount of six hundred dollars (\$600.00) for the violations described herein;
- b. Respondent agrees to and shall pay the total fine assessed herein on or before July 1, 2014. Payment shall be in the form of a certified check or money order made payable to "Kentucky State Treasurer" and mailed to the Department of Housing, Buildings and

Construction, Attn: John C. Allender, 101 Sea Hero Road, Suite 100,  
Frankfort, Kentucky 40601; and

- c. Respondent shall devote the time and resources necessary to ensure continual and full compliance with all statutory and regulatory requirements set forth in KRS 318.010 through 318.990 and 815 KAR 20:010 through 20:195.

7. Respondent waives his right to demand a hearing at which he would be entitled to legal representation, to confront and cross-examine witnesses, and to present evidence on his own behalf, or to otherwise appeal or set aside this Order.

8. Respondent consents to and acknowledges the jurisdiction of the DHBC over this matter and that this Agreed Order is a matter of public record and may be disseminated as such.

9. In consideration of execution of this Agreed Order, Respondent for himself, and for his successors and assigns, hereby releases and forever discharges the Commonwealth of Kentucky, the DHBC, Office of Legal Services, and each of their members, agents, and employees in their individual capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and unknown, in law or equity, that Respondent ever had, now has, may have or claim to have against any or all of the persons or entities named in this paragraph arising out of or by reason of this investigation, this disciplinary action, this settlement or its administration.

10. By signing below, the parties acknowledge they have read the foregoing Agreed Order, know and fully understand its contents, and that they are authorized to enter into and execute this Agreed Order and legally bind their respective parties.

11. This Agreed Order shall constitute the Final Order in this matter.

IT IS SO ORDERED on this the 2nd day of July, 2014.

Ambrose Wilson IV

AMBROSE WILSON IV  
COMMISSIONER

BY: JACK COLEMAN  
Deputy Commissioner

**Consented to:**

This 30<sup>th</sup> day of June, 2014.

[Signature]

Zaid Moore Jack Coleman, Acting Director  
Division of Plumbing  
Department of Housing, Buildings and Construction

This 26<sup>th</sup> day of June, 2014.

[Signature]

Greg A. Hamm

**ACKNOWLEDGEMENT**

STATE OF Kentucky )

COUNTY OF Felaski )

On this the 26<sup>th</sup> day of June, 2014, before me Edwina Saulston, the undersigned, Greg A. Hamm, did personally appear and entered into and executed the foregoing instrument for the purposes therein contained.

In witness whereof I hereunto set my hand.

My Commission Expires: March 3 2017

Edwina Saulston  
Notary Public

**Certificate of Service**

I, John C. Allender, hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 2nd day of July, 2014, by United States mail, to the following:



John C. Allender  
Department of Housing, Buildings and  
Construction  
101 Sea Hero Road  
Suite 100  
Frankfort, Kentucky 40601  
502-573-0365 ext. 107 (phone)  
502-573-1057 (facsimile)  
*Counsel for Complainant*